

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW HAMPSHIRE

Christopher John Rubisch

v.

Civil No. 15-cv-076-JD

Chaplain Jim Daly

**REPORT AND RECOMMENDATION**

On August 20, 2015, this court directed Rubisch to show cause why this matter should not be dismissed for failure to prosecute. Rubisch has failed to respond to that Order (doc. no. 18), or the court's July 17, 2015, Order (doc. no. 17). The court accordingly recommends that this case be dismissed, without prejudice, for failure to prosecute.<sup>1</sup> The court further recommends that the pending motion to dismiss, based on alleged bias of the court (doc. no. 14), be dismissed.

Any objections to this Report and Recommendation must be filed within fourteen days of receipt of this notice. See Fed. R. Civ. P. 72(b)(2). Failure to file objections within the specified time waives the right to appeal the district court's

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<sup>1</sup>In addition to this case, Rubisch has two other cases pending in this court, Rubisch v. N.H. Dep't of Corrs., 15-cv-009-LM, and Rubisch v. N.H. Dep't of Corrs., 15-cv-031-JL. The court has issued similar recommendations to dismiss each of those matters.

order. See United States v. De Jesús-Viera, 655 F.3d 52, 57  
(1st Cir. 2011; Sch. Union No. 37 v. United Nat'l Ins. Co., 617  
F.3d 554, 564 (1st Cir. 2010).

  
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Andrea K. Johnstone  
United States Magistrate Judge

September 14, 2015

cc: Christopher John Rubisch, pro se